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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

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7 VIVIAN WRIGHT-BOLTON,

Case No. 2:14-cv-01612-APG-PAL

8 Plaintiff,

ORDER

9 v.

10 KOCKA & BOLTON, LLC,

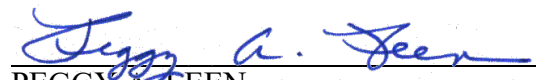
11 Defendant.

12 This matter is before the court on the parties' failure to comply with this court's Order
13 (ECF No. 63) to file a proposed stipulation to dismiss without prejudice. The court held a hearing
14 on December 12, 2017. At that hearing, counsel for plaintiff indicated that given the Ninth
15 Circuit's recent decision there was no viable federal claim. Both sides advised that they believed
16 any remaining claims should be heard in the Eighth Judicial District Court. As this case was filed
17 in federal court rather than removed the parties agreed that the court could not simply remand the
18 case and that it would need to be refiled in state court. The court therefore gave the parties until
19 **December 19, 2017** to file the stipulation to dismiss.

20 The court appreciates that the holidays and the tragic, untimely death of Mr. Potter may
21 explain why this matter has not been addressed to date. However, this is an old case on the court's
22 docket and there may be time constraints with refiled in state court. Accordingly,

23 **IT IS ORDERED** the parties shall have until **January 16, 2018** to file the stipulation to
24 dismiss.

25 DATED this 4th day of January, 2018.

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27 
28 PEGGY A. LEEN
UNITED STATES MAGISTRATE JUDGE